

RICK A. YARNALL
CHAPTER 13 BANKRUPTCY TRUSTEE
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E-FILED

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

IN RE:
JOHN G. WOODRUM (Deceased)
ELLEN MARIE WOODRUM

CASE NO: BKS-13-20691-LED

CHAPTER 13

Hearing Date: May 09, 2014

Hearing Time: 1:30 pm

GOLDSMITH & GUYMON
Attorney for the Debtor

**SUPPLEMENTAL TRUSTEE'S OPPOSITION TO CONFIRMATION OF PLAN #1
COMBINED WITH TRUSTEE'S RECOMMENDATION FOR DISMISSAL**

The Trustee herein, Rick A. Yarnall, hereby objects to confirmation of Plan and hereby represents the following:

The debtor(s) filed for Chapter 13 relief on 12/31/2013. The 341(a) Meeting of Creditors held on April 29, 2014 at 1:00 pm was:

- taken off calendar

The Trustee objects to confirmation of the Chapter 13 Plan for the following reason(s):

- Debtor(s) failed to appear[11 USC 341 (a)]: .
- Debtor(s) failed to commence Plan payments [11USC 1326 (a) (1)]
- Debtor(s) are delinquent in plan payments
- Debtor(s) failed to comply with notice/re-notice requirements [B.R. 2002 (a)(1)B.R.2002 (b)]
- The Debtor(s) is not eligible for Chapter 13 [11USC 109 (e)(g)]:
 - Debtor(s) failed to file tax return pursuant to Section 1307(e) & 1308(a): 2011-2012
- Other: Provide verification of Mr.'s social security number. Provide explanation of basis for disputing debts on Schedules D and F.
- Amendment(s) to Schedule(s)/SOFA: Schedule A to list all real property with accurate values and secured claim amounts. Schedule B to list stock held in Woodrum & Herron, Inc, Woodrum Family Trust, and pending lawsuit with values for each. Schedule I to include all sources of income. Statement of Financial Affairs #10 to list all transfers.
- Amendment to B22(c): Include all sources of income (business)
- The debtor(s) has failed to cooperate with the Trustee [11 USC 521 (3)] as the following document(s) were not provided:
 - Tax returns: 2009-2013 (personal and business)
 - Debtor failed to provide copy of most recent tax return for tax year 2013 (personal and business) not less than 7 days prior to the Sect. 341 hearing as required pursuant to Sect. 521(e)(2)(A)(i).
 - Pay stubs: Mrs: 6/03,6/10,7/29,8/5,9/2,10/7,11/4; Mr: 7/5,8/9,8/30. Provide verification of all sources of income received each month thru confirmation of Plan.
 - Profit & loss statement: June thru confirmation of plan detailed monthly
 - Provide comparable/appraisals on: 11 raw land owned, Greenbriar Townhouse property.
 - Support amount stated on Schedule J regarding excessive expenses: All expenses listed.

• Other: Provide completed business questionnaire (for all businesses) and any requested documents. Provide copy of stock portfolio to include number of stocks and values. Documentation as to status of pending legal action until case is settled. Copy of W2(s) and/or any documentation to be utilized to calculate income for 2013 tax returns.

- Plan not on Trustee Standard Form
- Plan does not provide for Liquidation Value [11 USC 1325(a)(4)]: Non exempt assets stated on Schedule A and B.
- The proposed Plan fails to provide for all of the Debtor's disposable income [11 USC 1325 (b)(1)&(2)]based on Income analysis came in higher than Sch I and/or Form 22c would result in a higher dividend to general unsecured creditors. (i.e. luxury item, unreasonable expenses, etc.) and, as a result, the Debtor(s) has failed to file a Plan in good faith [11 USC 1325 (a)]
- Plan is not feasible [11USC 1322] due to: Priority and secured claims filed. Section 2.20 insufficient to pay liquidation value.
- Plan - Other issues: Amount of fees sought in this case are stated as "TBD"; Attorney to file application for compensation.

THEREFORE, the Trustee objects to confirmation for the foregoing reasons and recommends that this case be dismissed.

Dated: May 05, 2014

/s/ Rick A. Yarnall

Rick A. Yarnall, Chapter 13 Trustee